

Article - Criminal Law

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§5–503.

(a) In this section, “opium” includes:

- (1) codeine; and
- (2) a natural or synthetic compound, manufactured substance, salt, derivative, mixture, or preparation of opium.

(b) (1) Except on a valid prescription of an authorized prescriber as defined in § 12-101 of the Health Occupations Article, a person may not dispense, give, or sell a preparation containing opium or any of its derivatives.

(2) This subsection does not apply to:

- (i) a sale made to an authorized provider; or
- (ii) a sale made by a manufacturer, distributor, or licensed pharmacy to a hospital or institution that operates a dispensary in which an authorized provider is in charge.

(c) (1) Except on a prescription from an authorized prescriber as defined in § 12-101 of the Health Occupations Article, a person may not possess or control a preparation containing opium or its derivatives.

(2) A person may possess or control a preparation containing opium or its derivatives if the possession or control is in the regular course of lawful business, occupation, profession, employment, or duty of the person.

(d) A person who violates this section is guilty of a misdemeanor and on conviction is subject to:

- (1) for a first violation, a fine not exceeding \$1,000;
- (2) for a second violation, a fine not exceeding \$2,000; or
- (3) for each subsequent violation, imprisonment not exceeding 18 months.

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